

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

MICHAEL A. PINCHBACK, §  
MCJ PIN NO.105616, §  
Plaintiff, §  
v. § Civil Action No. H-06-1646  
§  
MONTGOMERY COUNTY JAIL, *et al.*, §  
Defendants. §

ORDER OF DISMISSAL

While incarcerated in the Montgomery County, Texas Jail, plaintiff filed a complaint alleging violations of his civil rights under 42 U.S.C. § 1983. The Court has been informed that plaintiff is no longer incarcerated in the Montgomery County Jail. (Docket Entry No.14). Plaintiff, however, has not provided the Court with a forwarding address, as required by local rule 83.4. Under that rule, a *pro se* litigant is responsible for keeping the Clerk advised in writing of his current address. The Court will only send notices to the address on file. Plaintiff has clearly failed to provide the Court with an accurate, current address.

The plaintiff's failure to pursue this action forces the Court to conclude that he lacks due diligence. Therefore, under the inherent powers necessarily vested in a court to manage its own affairs, this Court determines that dismissal for want of prosecution is appropriate. *See Fed. R. Civ. P. 41(b); Woodson v. Surgitek, Inc.*, 57 F.3d 1406, 1417 (5th Cir. 1995).

The plaintiff is advised, however, that upon a proper showing, relief from this order may be granted in accordance with Rule 60(b) of the Federal Rules of Civil Procedure.

Accordingly, it is ORDERED that this action be DISMISSED without prejudice for want of prosecution. All pending motions, if any, are DENIED.

The Clerk will provide a copy of this Order to all parties.

SIGNED at Houston, Texas, July 27, 2006.



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MELINDA HARMON  
UNITED STATES DISTRICT JUDGE